

MINUTES OF THE UNITED STATES DISTRICT COURT JUN 12 2006
FOR THE NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____

(Deputy Clerk)

CV-05-0026

June 12, 2006
9:05 a.m.

TOSHIHIRO TAKAHASHI -vs- MAEDA PACIFIC CORPORATION

PRESENT: Hon. Alex R. Munson, Chief Judge Presiding
Sanae Shmull, Court Reporter
K. Lynn Lemieux, Court Deputy
Victorino Torres, Attorney for Plaintiff
James Livingstone, Attorney for Plaintiff
John Osborn, Attorney for Defendants
Steve Carrara, Attorney for Defendants

PROCEEDINGS: JURY TRIAL - Day One

Plaintiff was represented by Attorneys James Livingston and Victorino Torres. Defense was represented by Attorneys John Osborn and Steve Carrara.

Twenty-four (24) potential jurors from panel 101050801 were present. Jurors were sworn and Court entertained requests for excuse. No challenges to the array.

The case was called and the attorneys stated their appearance. 14 jurors names were drawn from the jury wheel and were seated in the jury box. Court proceeded with voir dire.

Parties exercised their three peremptory challenges. At 11:10 a.m., Eight (8) regular jurors were seated for the trial and the remaining jurors were excused. The seated jurors were: 1) **REYES**, Antonio; 2) **ARRIOLA**, Dolores; 3) **BIZ**, Sylvia; 4) **BABAUTA**, Joaquin; 5) **VILLAGOMEZ**, Virginia; 6) **BENAVENTE**, Arlene; 7) **CAMACHO**, Dominic; 8) **CEPEDA**, Lillian.

Court recessed the jurors for lunch at 11:10 a.m. and admonished them not to talk with anyone, or among themselves, about the case until they have received the case and they are all together in the jury deliberation room. Further, Court ordered them to return at 1:00 p.m. to continue with the trial.

Parties stipulated to keep witnesses out of the Courtroom until they are called to testify. Court so ordered.

Court recessed at 11:20 a.m. and reconvened at 1:20 p.m.

Jurors were brought into the courtroom at and the Court gave an introduction to the trial.

Plaintiffs, through Attorney Livingstone, began opening statement at 1:25 p.m. and ended at 1:50 p.m.

Defense began their opening statement at 1:53 p.m. and finished at 2:05 p.m.

Plaintiffs called witness:

RANDY JACOB. DX.. Ex. A (Deposition); Defense's Ex. 61. A. Pltf offered Ex. **61-A** into evidence; there being no objection, Court so ordered. Witness was excused at 2:40 p.m.

Plaintiff called witness:

ENRIQUE TABANDA. DX. Ex. 61 (Photo); Pltf moved to admit **Ex. 61** into evidence; there being no objection, Court so ordered. Plaintiff moved to admit **Ex. 61B** into evidence; no objection, Court so ordered. **CX** by Attorney Osborn. Defense moved to admit **Ex. F** into evidence, there being no objection, Court so ordered. **RDX** by Attorney Livingstone. Witness was excused at 3:06 p.m.

Court recessed at 3:07 for afternoon break and reconvened at 3:30 p.m.

Plaintiff called witness:

LINUS MIZUTANI. DX. Plaintiff moved to admit Ex. 41 into evidence; there being no objection, Court so ordered. CX. Attorney Osborn moved to admit **Ex. N** into evidence; over objection, Court so ordered. RDX. RCX. Witness was excused at 4:07 p.m.

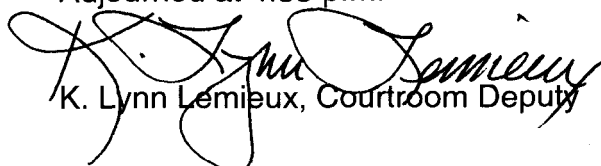
Plaintiff called witness:

DEXTER MACARANAS. DX. CX. Witness was excused at 4:30 p.m.

Jurors were admonished not to talk with anyone, or watch TV or read the newspaper on this matter, and to return tomorrow at 9:00 a.m. to continue with the trial. Jurors exited the Court at 4:33 p.m.

Court had discussion with the parties about the progress of the trial.

Adjourned at 4:35 p.m.


K. Lynn Lemieux, Courtroom Deputy

CIVIL JURY PEREMPTORY CHALLENGE SHEET

DATE	Monday, June 12, 2006	DOCKET NO.	CV-05-0026
CAPTION	Toshihiro Takahashi	-VS-	Maeda Pacific Corporation
ATTORNEYS	Victorino Torres, ESQ.		John Osborn, ESQ.

8		9		10		11		12		13		14	
PP	Flawau, Berlinda		Villagomez, Virgina	PP	Sakisat, Teresa		Benavente Arlene		Camacho, Dominic		Cepeda, Lillian	DP	Dela Cruz, Lovena
1		2		3		4		5		6		7	
	Reyes, Antonio	DP	Aizon, Vicente	PP	Barcinas, Mona		Arriola, Dolores		Biz, Sylvia		Babauta, Joaquin	CC	Aldan, Jesse
												DP	Barcinas, Maxine

CODES: CC = Challenge for Cause DP = Defendant's Peremptory Challenge PP = Plaintiff Peremptory Challenge

Form NMI-CVJY01 (Rev. 06/01)

CHALLENGES TAKEN

PLAINTIFF		DEFENSE	
CHALLENGE	ACTION	CHALLENGE	ACTION
PP	Barcinas, Mona	DP	Aizon, Vicente
PP	Flawau, Berlinda	DP	Barcinas, Maxine
PP	Sakisat, Teresa	DP	Dela Cruz, Lovena